



U.S. Department of Justice

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December 2, 2014

BY ECF

The Honorable Lois H. Goodman
United States Magistrate Judge
Clarkson S. Fisher Federal Building & United States Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: Kielty v. FEMA, Civil Action No. 14-CV-3269 (PGS)(LHG)

Dear Judge Goodman:

I am the Assistant United States Attorney representing the defendant in this case, a Freedom of Information Act suit brought by plaintiff Sean Kielty. I respectfully write concerning the Government's motion for a protective order, which was filed on November 6, 2014, and made returnable on December 1, 2014.

At a teleconference held by the Court on November 12, 2014, Your Honor indicated that, after Mr. Kielty filed his opposition papers, the Government should file a short reply, and a second teleconference would be scheduled in an attempt to resolve the issues raised by the Government's motion. Although Mr. Kielty said at the conference that he intended to oppose the motion, to date, no opposition has been filed. I have attempted to contact Mr. Kielty to see if he still intends to oppose the motion; he told me his opposition brief would be filed last Wednesday, but I have not heard from him since then. In light of these circumstances, the pressing nature of the relief the Government is seeking, and the fact that the motion date of December 1 has now

passed, the Government respectfully asks the Court to decide its motion on the papers currently submitted.

Respectfully submitted,

PAUL J. FISHMAN
United States Attorney

By: /s/ Kristin L. Vassallo
KRISTIN L. VASSALLO
Assistant United States Attorney

cc: Sean Kielty, Esq. (By ECF)